

SEP 30 2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Machitto et al.

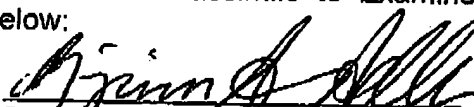
FILED: February 6, 2004

SERIAL NO.: 10/774,320

FOR: Activated Delivery of Biomolecules Using  
Electromagnetic Energy§  
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§ART UNIT:  
1624EXAMINER:  
Moore, SusannaDOCKET:  
D6327CIPMS Non-Fee Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that this Response to Restriction Requirement, Petition for Extension and Form PTO-2038 is being transmitted via facsimile to Examiner Susanna Moore at 571-273-8300 on the date below:

Date:

Sept 30, 2009  
Benjamin Aaron Adler, Ph.D., J.D.RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed June 23, 2009, the Applicants elect group I, claims 1-9, 12-19, 21-30, drawn to a composition comprising a biomolecule and an electromagnetic energy absorbing species or a susceptor. Applicants make the following species elections without traverse.

Applicants elect titanium alloys as the susceptor species. Claims 1, 10, 13, 16, 24, 27-28, 34-35, 38 read on this species election.

Applicants elect radiofrequency energy as the EM energy species. Claims

1-2, 4-6, 13, 18-19, 36 read on this species election.

Applicants elect albumin protein as the biomolecule species. Claims 1-2, 4-6, 8, 21, 24-25, 27-29, 31, 36, 38 read on this species election.

Applicants elect conformational change in the biomolecules as the biochemical reaction species. Claims 21-22, 36-37 read on this species election.

Applicants elect tissue as the location species. Claims 40, 46 read on this species election; and

Applicants elect chemical bond involving dimer as the bond species. Claims 1, 4-5, 27-28 read on this species election.

Respectfully submitted,

Date: Sept 30, 2009



Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423  
Counsel for Applicant

ADLER & ASSOCIATES  
8011 Candle Lane  
Houston, Texas 77071  
Tel: (713) 270-5391  
Fax: (713) 270-5361  
Ben@adlerandassociates.com